Agenda Date: 4/17/02 Agenda Item: VII A



STATE OF NEW JERSEY

Board of Public Utilities Two Gateway Center Newark, New Jersey 07102

	<u>Customer Relations</u>
NBS COSMETICS, INC.,) ORDER ADOPTING
Petitioner, v.) <u>INITIAL DECISION</u>))
VERIZON NEW JERSEY, INC.,) BPU Docket No. TC01010043U) OAL Docket No. PUC 3332-01
Respondent)
	SERVICE LIST ATTACHED)

BY THE BOARD:

On January 17, 2001, NBS Cosmetics, Inc. (Petitioner) filed a petition with the Board of Public Utilities (Board) with respect to a billing dispute with Verizon New Jersey Inc. (Respondent). The Petitioner complained of overcharges for telephone service connections from 1978 through 1999 by the Respondent.

On March 19, 2001, the Board received the Respondent's answer in which it denied the allegations set forth in the petition and averred that it had correctly billed the Petitioner. The Respondent also maintained that the Petitioner was not entitled to any additional credits or adjustments. The Respondent also requested the Board to dismiss the complaint.

On March 30, 2001, the Board transmitted this matter to the Office of Administrative Law (OAL) for determination and initial disposition as a contested case pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. The matter was assigned to Administrative Law Judge (ALJ) Mumtaz Bari Brown.

During the pendency of the matter at the OAL, the parties participated in a settlement conference and entered into a Settlement. The Settlement was submitted to the ALJ for review. On March 11, 2002, ALJ Bari Brown filed her Initial Decision with the Board which recommended that the Settlement be approved. The ALJ found the Settlement to be voluntary, consistent with the law and fully dispositive of all issues in controversy. The ALJ therefore concluded that the Settlement met the requirements of N.J.A.C. 1:1-19.1.

The Settlement provides for a \$1,500.00 credit to the Petitioner's account. The settlement also provides for the dismissal of the petition with prejudice.

After review, the Board FINDS that the terms of the Settlement are a fair and reasonable resolution of the within proceeding by the parties hereto. Therefore, the Board HEREBY ADOPTS the Initial Decision and Settlement in their entirety, incorporating the terms thereof into this final decision as if fully set forth at length herein.

DATED: April 19, 2002 BOARD OF PUBLIC UTILITIES BY:

(SIGNED) JEANNE M. FOX PRESIDENT

(SIGNED) FREDERICK F. BUTLER COMMISSIONER

(SIGNED) CAROL J. MURPHY COMMISSIONER

(SIGNED) CONNIE O. HUGHES COMMISSIONER

ATTEST:

(SIGNED) KRISTI IZZO SECRETARY

NBS Cosmetics, Inc. v. Verizon New Jersey, Inc.

BPU Dkt. No. TC01010043U OAL Dkt. No. PUC 3332-01

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